

ORDINANCE NO. 14841

FILE OF CITY COUNCIL

BILL NO. 71 - 2010

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INTRODUCED BY ADMINISTRATION

NOVEMBER 3, 2010

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AN ORDINANCE

Amends Article 393, Fees for Public Works, of the Administrative Code by revising permits and fees for streets, utilities, waste water permits, chemical assessment and evaluation fees and various other miscellaneous fees.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes the following permit and fee increases within Article 393 of the Administrative Code:

### **393 FEES FOR PUBLIC WORKS**

- 393.01 Purpose
  - 393.02 Applicable to
  - 393.03 Definitions
  - 393.04 Streets Fee Schedule
  - 393.05 Restoration
  - 393.06 Utilities Fee Schedule
  - 393.07 Waste Water Permits and Fee Schedule
  - 393.08 Chemical Assessment and Evaluation Fee Schedule
  - 393.09 Miscellaneous Fees
  - 393.10 Payment of Fees
  - 393.11 Effective Date
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#### **393.01 PURPOSE**

This issuance establishes and updates the Department of Public Works fees, permits and licenses provided by City ordinance and administrative policy.

#### **393.02 APPLICABLE TO**

## The Codified Ordinances of the City of Allentown.

- 2.1 Article 901, Excavations, Ordinance 10839, amended 11868.
- 2.2 Article 907, Sidewalks, Curbs and Gutters, Ordinance 12484.
- 2.3 Article 921, Water, Ordinance 12140.
- 2.4 Article 923, Water Service Pipes, Ordinance 7945.
- 2.5 Article 925, Water Rates, Ordinance 11344.
- 2.6 Article 927, Water Meters, Ordinance 6402.
- 2.7 Article 941, Sewage and Industrial Wastes, Ordinance 12003, amended 12423.
- 2.8 Article 912, Overhead Utility Permit, Ordinance 12510.

### 393.03 DEFINITIONS

- 3.1 Inspection Fees. Rates charged for official examination of private projects by City personnel.
- 3.2 License Fees. Rates charged for officially authorizing certain businesses.
- 3.3 Permit Fees. Rates charged for officially authorizing certain activities.
- 3.4 Degradation Fees. Rates charged for officially authorized street excavation to defray a percentage of the costs for resurfacing and reconstruction of City streets resulting from the depreciation of streets associated with street openings.

All other terms in this Regulation remain constant with the definitions in the various City ordinances referenced above.

### 393.04 STREETS FEE SCHEDULE

- 4.1 Excavation Permits. A permit shall be applied for to dig any trench or excavate through or under the roadway or sidewalk or to cut into or open and remove any of the pavement surfaces of any street or avenue within the City. Permits shall be granted pending review and approval of the Department of Public Works.

The excavation permit fee is ~~Forty-five (\$45)~~ Fifty (\$50) Dollars per cut plus restoration costs, which will be calculated according to the following fee schedules (minimum two [2] square yards per cut). Fee or deposits must be in the form of either cash or check (personal or company).  
(14160 §1 3/18/04)

### 393.05 RESTORATION

<b>Pavement Structure</b>	<b>Amount of Bond (Per Square Yard)</b>
Concrete foundation (10 inches or more in depth) with any asphalt surface	<del>155</del> <u>\$170</u>
Concrete foundation (10 inches or less in depth) with any asphalt surface	<del>150</del> <u>\$165</u>
Cement concrete surface streets 7" - 9" full depth	<del>140</del> <u>\$155</u>
Bituminous concrete surface with bituminous or stone base	<del>130</del> <u>\$145</u>
Unimproved surface (graded stone)	<del>40</del> <u>\$ 50</u>

(14160 §1 3/18/04)

- 4.1.1 The number of square yards of excavation shall be computed to the nearest whole square yard, rounded upward. This will include any pavement that must be removed to enable an overlap of the surface course and base course on the existing subgrade.

- 4.1.2 Minimum fee shall be equal to fee for two (2) square yards.

4.1.3 Additional square yards, if required during construction, shall be added to the original square yard computation to obtain an adjusted total. Additional fee shall be based on the adjusted total.

4.1.4 The City Treasurer will place collected restoration fees into the General Fund.

4.2 **Degradation Fees.** A rate of fee in dollars per square yard charged for streets constructed, reconstructed or resurfaced within the following number of years prior to issue date of permit. Rates associated with emergency situation or approved exceptions.

PAVEMENT STRUCTURE	YEARS					
	LESS THAN 1 YEAR	2	3	4	5	5-10
Concrete Foundation (greater than 10" in depth) with any asphalt surface	<del>155</del> <u>\$170</u>	<del>155</del> <u>\$170</u>	<del>145</del> <u>\$160</u>	<del>135</del> <u>\$150</u>	<del>125</del> <u>\$140</u>	<del>105</del> <u>\$115</u>
Concrete Foundation (less than 10" in depth) with any asphalt surface	<del>150</del> <u>\$165</u>	<del>140</del> <u>\$155</u>	<del>130</del> <u>\$145</u>	<del>120</del> <u>\$130</u>	<del>110</del> <u>\$120</u>	<del>100</del> <u>\$110</u>
Cement Concrete Surface Streets	<del>145</del> <u>\$160</u>	<del>135</del> <u>\$150</u>	<del>125</del> <u>\$140</u>	<del>115</del> <u>\$125</u>	<del>105</del> <u>\$115</u>	<del>95</del> <u>\$105</u>
Bituminous Concrete Surface with bituminous or stone base (14160 §1 3/18/04)	<del>130</del> <u>\$145</u>	<del>120</del> <u>\$130</u>	<del>110</del> <u>\$120</u>	<del>105</del> <u>\$115</u>	<del>95</del> <u>\$105</u>	<del>80</del> <u>\$ 90</u>

**Example:** Degradation fee for street with bituminous concrete surface and stone base four (4) years old, ten (10) square yards -- ten (10) square yards at ~~\$90.00/sq. yd.~~ \$115.00/sq. yd. = ~~\$900.00~~ \$1,150.00. The number of square yards used in the computation of fees will be based on the nearest whole square yard figure. Minimum fee to be equal to the rate for one (1) square yard.

4.2.1 The degradation fee will be waived for openings made on streets maintained by the Pennsylvania Department of Transportation.

4.2.2. The number of square yards computed for the degradation fee will be based on the actual size of excavation disregarding any pavement that must be removed to enable an overlap of the surface course on the existing base course.

4.3 **Warrants of Survey.** Any owner of lots or real estate shall make application for a warrant or survey to fix the line and grade for the setting or resetting of curbing, the laying or relaying of sidewalks, crossovers or handicap ramps prior to commencing such work. Where such warrant has been granted, the following fee schedule shall apply:

10' or less	No warrant necessary	
11' to 45'	<del>\$ 95</del>	<u>\$105</u>
46' to 120'	<del>\$185</del>	<u>\$205</u>
Each additional Foot	<del>\$0.50 pt.</del>	<u>\$0.55 per foot</u>
Replacement Points	<del>\$ 50 pt.</del>	<u>\$55 per point</u>

If construction has not been completed within the calendar year, a new request of survey shall be obtained.

- 4.4 Work Orders.** Prior to commencing the work to construct or reconstruct curbing, sidewalks, crossovers or handicap ramps, a work order authorizing the job shall be obtained for a fee as listed below. If work has not begun within sixty (60) days of issue, a new work order shall be obtained.

**Curbing Only**

0' to 45'	\$45	<u>\$50</u>
46' to 120'	\$55	<u>\$60</u>
Over 120'	\$70	<u>\$75</u>
(14160 §1 3/18/04)		

**Sidewalk Only**

0' to 225 s.f.	\$45	<u>\$50</u>
226' to 600 s.f.	\$55	<u>\$60</u>
Over 600 s.f.	\$70	<u>\$75</u>
(14160 §1 3/18/04)		

- 4.5 Crossover Permits.** Prior to construction of any crossover, the owner of the lots or real estate shall make application for a crossover permit. If the application is approved and the permit is issued all other required permits may be obtained by the owner.

Residential Crossover	\$50	<u>\$55</u>
Commercial Crossover	\$65	<u>\$75</u>
(14160 §1 3/18/04)		

### 393.06 UTILITIES FEE SCHEDULE

- 5.1 Underground Utility Permits.** Private or quasi-public utilities shall make application and be granted a permit for review and inspection of street cuts prior to commencing work. The fee shall be ~~Forty five (\$45)~~ Fifty (\$50) Dollars per cut of fifty (50) linear feet or less, plus ~~Ten (\$10)~~ Eleven (\$11) Dollars for each additional one hundred (100) linear feet or any portion thereof. For individual, private service connections or repair excavations, there shall be a charge of ~~Forty (\$40)~~ Forty-five (45) Dollars for each opening. (14160 §1 3/18/04)

- 5.2 Overhead Utility Permits.** Private or quasi-public utilities shall make application and be granted a permit prior to commencing work, installing, replacing, resetting or removing poles and anchor guy wires.

**Per Permit:**

New Pole Installation (1-4 Poles)	\$35	<u>\$45</u>
Pole Replacement or Resetting (1-4 Poles)	\$30	<u>\$40</u>
New Anchor Guy Wire (1)	\$35	<u>\$45</u>
Each Additional Pole or Guy Wire	\$15	<u>\$20</u>
Each Pole Removal	\$25	<u>\$35</u>
(14160 §1 3/18/04)		

- 5.3 Storm Sewer Hookup.** The owner shall make application for a storm sewer connection permit prior to making a residential or commercial connection to the storm sewer system. The connection permit fee will be paid in addition to required excavation permits for opening roadway or sidewalk areas.

Residential Permit Fee	\$50	<u>\$55</u>
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Commercial Permit Fee	\$75	<u>\$80</u>
(14160 §1 3/18/04)		

**5.4 Water Taps.** The following rates shall be charged for furnishing and installing corporation stops:

Size		
3/4"	\$195	<u>\$215</u>
1"	205	<u>\$225</u>
1-1/2"	220	<u>\$240</u>
2"	265	<u>\$290</u>
(14160 §1 3/18/04)		

**Water Sleeve and Valve Connectors.** The following fees shall be charged for sleeve and valve connections that are attached to the water mains to which the service pipe is connected:

Size		
4" x 4"	<del>\$ 970</del>	<u>\$1,065</u>
6" x 4"	975	<u>\$1,070</u>
6" x 6"	1,050	<u>\$1,155</u>
8" x 4"	1,075	<u>\$1,180</u>
8" x 6"	1,120	<u>\$1,230</u>
8" x 8"	1,420	<u>\$1,560</u>
12" x 4"	1,450	<u>\$1,595</u>
12" x 6"	1,475	<u>\$1,620</u>
12" x 8"	1,705	<u>\$1,875</u>
(14160 §1 3/18/04)		

**5.5 Fire Hydrant Standby.** The fire hydrant standby charge shall be ~~Three Hundred and Fifty (\$350)~~ Three Hundred Eighty-five (\$385) Dollars a year for each fire hydrant owned by the City, privately owned or owned by any other municipality and serviced by the Department of Public Works whether located within or outside the City limits. (14160 §1 3/18/04)

**5.6 Loan of Fire Hydrant Adaptor and Wrench.** With the review and approval of the Department of Public works, contractors may borrow a fire hydrant adaptor and wrench after making a ~~Seventy-Five (\$75)~~ Eighty-five (\$85) Dollars cash deposit for a 3/4" or 1" adaptor or a ~~Five Hundred (\$500)~~ Five Hundred Fifty (\$550) Dollar cash deposit for a 2-1/2" adaptor. A flat fee of ~~One Hundred (\$100)~~ One Hundred ten (\$110) Dollars will be charged for use of water. The water use fee may be waived for contractors working for the City.

**5.7 Meter Repair.** The consumer shall be responsible for the cost of all repairs to any meters damaged by frost or any other actions. The service charge for repair of the meter is ~~Ninety (\$90)~~ Ninety-five (\$95) Dollars.

**5.8 Meter Testing.** Should any consumer doubt the correctness of the meter measuring the water delivered to his premises, he may request to have the meter tested. Should the test show the meter in question to be correct within four (4%) percent, the consumer will be billed as follows:

5/8" to 1" meter	<del>\$ 95</del>	<u>\$100</u>
1-1/2" to 2" meter	100	<u>\$115</u>
(14160 §1 3/18/04)		

On the other hand, should the test show the meter to be registering incorrectly beyond four (4%)

percent, the City will bear the cost of testing.

- 5.9 **Temporary Meter Removal.** Meters temporarily removed and subsequently replaced at the request of the owner shall have a charge of ~~Seventy-five (\$75)~~ Eighty-five (\$85) Dollars.

- 5.10 **Water to Build Permits.** It is necessary to obtain a permit for the use of water during construction. The consumer will be billed a flat rate for residential, commercial and industrial projects.

Residential projects	\$50	<u>\$55</u>
Commercial and Industrial Projects	80	<u>\$90</u>
(14160 §1 3/18/04)		

- 5.11 **Sanitary Sewer Dye Test.** A property owner may request a dye test to determine if the property is connected to the City's sanitary sewer system. The charge for this service shall be ~~One Hundred Fifty (\$150)~~ One Hundred Sixty-five (\$165) Dollars. If the test shows that the property is connected, the fee shall be waived. (14160 §1 3/18/04)

- 5.12 **Bulk H<sub>2</sub>O Pickup.** Contractors, pool installers or other tradespeople who occasionally require water may have tank trucks filled at the Water Filtration Plant. The charge for the filling of a tank truck at Water Filtration shall be ~~Ten (\$10)~~ Fifteen (\$15) Dollars per load plus a volumetric charge equal to 125% of the current water consumption fee.

### 393.07 WASTE WATER PERMITS AND FEE SCHEDULE

- 6.1 **Permit Application.** New sources seeking a permit shall obtain forms from the Office of the City's Industrial Waste Manager or from the Office of Sewer Administration which shall be completed in detail as to the information requested that is applicable to the operations to be performed at the proposed site of the connection to the sewer system.
- 6.2 **Permit Application.** Existing sources seeking a permit to comply with requirements of the Industrial Waste Pretreatment Program shall obtain application forms from either of the above named offices and complete all applicable sections pertaining to the operations performed at the industrial complex. Where more than one connection exists, the characteristics of the waste water shall be delineated by chemical parameter and/or be addressed in the data to be submitted. All data to be submitted shall be current, and chemical tests performed more than ninety (90) days from the date of the application will require new tests to be made for review by the permitting agency.
- 6.3 **Permit Issuance and Schedule Fees.** The City shall charge fees for the issuance and renewal of waste water permits and other services based on the following schedules.
- 6.3.1 **Septage Wastes.** Any hauler, operator or person cleaning cesspools, septic tanks, privies or like containers shall have a license to dispose of domestic type wastes not contaminated by or mixed with industrial wastes. The cost of the license is ~~Seventy-five (\$75)~~ Eighty-five (\$85) Dollars per year.

The 1990 fee for disposal into the sewerage system at the location designated shall be calculated at the rate of Thirty-eight (\$38) Dollars per 1,000 gallons or a portion thereof. Beginning in 1991, the fee for disposal will increase by the inflation factor for the previous year rounded to the nearest whole dollar.

6.3.2. **Major Industrial User.** Persons seeking a permit shall make application on the forms to be provided by the City and shall complete, in detail, the required information thereon. Any such chemical analysis. No application will be considered complete without an accompanying chemical analysis of the waste to verify the characteristics of the material to be discharged. is shall not predate the date of the application by more than ninety (90) days. It shall be understood that each product line producing the waste must be identified as a separate point and shall be so indicated in the background information required by the application.

(1) **Supportive Chemical Data.** Information on waste characteristics is not provided or furnished at the time of the application will be obtained by the permittee no less than sixty (60) days from the date that the application is received by the City. If the chemical data is not furnished to the City by the time indicated, the applicant will be notified to terminate any discharge and the application, as submitted, will be considered incomplete and shall be voided from any further consideration for a permit. If the applicant desires the City to determine and establish the waste water characteristics, the City shall perform such services in accordance with the fee schedule stated herein. The tests to be performed will be coordinated with the applicant applying for the permit before any work is done to obtain and analyze the wastes.

(2) **Permit Issuance and Renewal Fees.** The City Sewer Administration shall charge fees for the issuance and renewal of permits for major industrial users based on the following schedule:

1. Insider Corporate Limits of the City:

i) The issuance of an initial five (5) year permit	\$1,000	<u>\$1,100</u>
ii) Permit Renewal Fee	500	<u>\$ 550</u>
iii) Review of monitoring reports required by Federal regulations (14160 §1 3/18/04)	225	<u>\$ 245</u>

2. Outside Corporate Limits of the City:

i) The issuance or coordinated concurrence of an initial (3) year permit	\$1,000	<u>\$1,100</u>
ii) Permit Renewal Fee	500	<u>\$ 550</u>
iii) Review monitoring reports required by Federal regulations (14160 §1 3/18/04)	225	<u>\$ 245</u>

6.3.3. **Singular Occurrence Review.** Whenever an entity seeks permission to discharge a waste to the sanitary sewer system which is extraordinary or significantly different from an existing discharge and the discharge will occur on a singular or limited time basis, the City will charge a fee of ~~Three Hundred (\$300)~~ Three Hundred Thirty (\$330) Dollars to review submitted information. Submission of information and payment does not intimate authorization to discharge. The review may be waived for existing dischargers to the sanitary system at the discretion of the Manager-Water Resources. (14160 §1 3/18/04)

### 393.08 CHEMICAL ASSESSMENT AND EVALUATION FEE SCHEDULE

Any person, firm, establishment or public entity that requires the services of the City's laboratory for site studies and/or for chemical testing; such services shall be based on the following schedule. Chemical parameters not listed shall be assessed at the rate charged by the current subcontracted laboratory.

7.1 **Monitoring Requirements:**

Site Visitations	\$115	<u>\$125</u>
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Monitoring Reports Preparation	445	<u>\$125</u>
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## 7.2 Chemical Sampling and Testing:

Placement of Chemical Samplers	90	<u>\$100</u>
Sample Collection and Preparation (14160 §1 3/18/04)	45	<u>\$ 50</u>

## 7.3 Chemical Parameters:

Biochemical Oxygen Demand	24	<u>\$26</u>
Chemical Oxygen Demand	24.70	<u>\$23.80</u>
Chloride	26.30	<u>\$28.90</u>
Cyanide (Total/Free)	37	<u>\$41</u>
Chlorine Residual (Free and Total)	40	<u>\$11</u>
Color	22	<u>\$24</u>
Dissolved Oxygen (Probe)	6	<u>\$ 7</u>
Fecal Coliform	48	<u>\$20</u>
Fluoride	22	<u>\$24</u>
Hardness	45	<u>\$17</u>
Metals Plasma Emission Scan	65	<u>\$72</u>
Nitrates	27	<u>\$30</u>
Nitrogen (Ammonia)	26	<u>\$28</u>
(Kjeldahl TKN)	26	<u>\$28</u>
pH	10.50	<u>\$11.50</u>
Phenols (4AA)	37	<u>\$41</u>
Polychlorinated Bipheyls (PC-B)	200	<u>\$220</u>
Priority Pollutant Analysis	950	<u>\$1,045</u>
Acidity Fraction		
Volatile Fraction		
Base/Neutral Fraction		
Hazardous Waste Analysis		
Fat, Oil and Grease	42	<u>\$46</u>
Metals by Frame AA – Each	20	<u>\$22</u>
Solids (Total Dissolved)	13	<u>\$14</u>
Solids (Total)	13	<u>\$14</u>
Solids (Suspended)	45.40	<u>\$16.90</u>
Sulfides	22.40	<u>\$24.60</u>
Total Coliform	24	<u>\$23</u>
Threshold Odor	25	<u>\$27</u>
Turbidity	42	<u>\$13</u>

*The prices of other parameters not listed will be determined by current subcontracted laboratory and will include an ~~Eight (\$8)~~ Ten (\$10) Dollar handling charge. (14160 §1 3/18/07; 14484 §1 5/22/07)*

## 393.09 MISCELLANEOUS FEES

8.1 **Fill Permits.** Contractors shall make application and be granted a fill permit prior to dumping clean fill on City controlled property. The type of fill and location of dumping site will be reviewed prior to approval. The cost of the permit is ~~Fifty (\$50)~~ Fifty-five (\$55) Dollars.



- 8.2 **Municipal Improvement Certification.** For information regarding proposed accessible municipal improvements or work completed during the previous six (6) months at a particular location, consumer should send a Twenty-five (\$25) Dollar check along with a self-addressed, stamped envelope for each property involved to the Treasurer's Office, Room 110, City Hall, 435 Hamilton Street, Allentown, PA 18101-1699. Information will be recorded on a Municipal Improvements Certification Form and mailed to the inquiring party. (14160 §1 3/18/04)
- 8.3 **Curb and Sidewalk Administrative Costs.** Each year the City bids the contract for curb/sidewalk. Property owners who receive notice to replace curb/sidewalk as part of the City's Street Program may choose to use the City's contractor to have this work done.
- 8.4 **Sidewalk Construction Waiver.** A property owner requesting a postponement for the installation of sidewalk shall be charged Thirty (\$30) Dollars. This request is presented to the Allentown City Planning Commission. This fee is payable to the Bureau of Planning at the time of application. (14160 §1 3/18/04)
- 8.5 **Curb Construction Waiver.** A property owner requesting a postponement for the installation of curbing shall be charged Thirty (\$30) Dollars. The request is presented to the Allentown City Planning Commission. The fee is payable to the Bureau of Planning at the time of application. (14160 §1 3/18/04)

### **393.10 PAYMENT OF FEES**

When paid in full within sixty (60) days, the cost is simply the fee listed above. When paid beyond that time, the penalty charged will be in accordance with AIM Regulation 5-1-32.

### **393.11 EFFECTIVE DATE**

This Regulation is effective January 1, 1998 2011. (13680 §1 6/4/98)

SECTION TWO: That this Ordinance will take effect January 1, 2011.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy	X	
Ray O'Connell	X	
Michael Schlossberg	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on December 1st and signed by the Mayor on December 3, 2010.



CITY CLERK

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Public Works

- **Summary and Facts of the Bill**

These fees have not been changed since 2004.

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

These changes will increase revenue by approximately \$25,000 per year to the City.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

See above.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

01/01/11

- **Why should Council unanimously support this bill?**

As stated above this will increase revenue to the City.